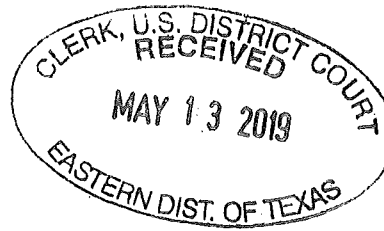


May
April 9, 2019

Honorable Judge
U.S. District Court
211 West Ferguson Street, Rm. 106
Tyler, Texas 75702

6:19cv214 JDK/JDL



Subject: Letter

Dear Judge:

On July 25, 2016 I was given a back surgery by Orthopedic Doctor, Ronald Wayne Lindsey, at UTMB, John Sealy Hospital in Galveston, Texas. Since that operation something has gone terribly wrong and I began to suffer extreme pain and discomfort that is compromising my daily activities.

On 8/8/2018 an X-Ray was taken of my back and the imaging report revealed the cause(s) of my pain. (See image and imaging report)

Because of the severity of my injury Ms. Donna L. Davis had me reassigned to the Small Geriatric Medical Facility, Powledge Unit, in Palestine, Texas to meet my medical restrictions, and so that Dr. Lindsey can operate on me again to alleviate my pain and suffering, because the Powledge Unit is on the UTMB medical branch side of Texas.

On 8/14/2018 I arrived at the Powledge Unit. Since then all urgent medical care has seized.

On 2/16/2019 I have been reassigned to the Styles Unit in Beaumont, Texas.

It has been nine months since the UTMB Correctional managed HealthCare System of the TDCJ-ID, and its employees,

have had knowledge of the results of the imaging report of the x-Ray that was taken on 8/8/2018,

Since then there was a C.T. Myelogram x-Ray taken that further support the findings, and necessity, for urgent medical care, namely surgery.

I have continuously complained to both the Powledge Unit and Styles Unit medical departments about my need for orthopedic care, pleading for help to help alleviate the amount of pain that I am suffering. The unnecessary delay and deliberate indifference(s) to my medical needs have caused nerve damage in my right foot. It now flops when I walk. My feet push away from my body at night causing me to awaken and have to force push them back into place. It hurts so bad that I can not hardly stand the pain. The Unit Providers refuse to take me to my hospital appointments. No proper pain management medications, No cane or crutch to help me walk, Have me assigned to a prison cell at least 8x farther than my walking restriction. It is all in my medical records,

Because this Court has jurisdiction I attempted to file a title 42 U.S.C. 1983 civil rights complaint, order to show cause for a preliminary injunction, and a Motion For Appointment of Counsel. On April 19, 2019 I took my Complaint and attached documents to the Styles Unit Law Library so that Ms. Jones, Head Librarian, can provide me with a six ~~ba~~ month history

of my trust fund account, and postage. I placed all documents inside a large writ envelope, sealed it, and gave it to Ms. Jones. She assured me that it will be mailed on Monday 4/22/19.

I wrote the Mail Room, c/o Ms. Willis, and asked for confirmation of my legal mail being rostered out and mailed. She informed me that she never received my writ envelope or another letter that I had addressed to the Victoria Law Center asking for their assistance.

If your Clerk never received my complaint and attached documents by now then its pretty obvious what is going on.

Your Honor, I sincerely need some help. My urgent cry for medical assistance is manifest in the imaging report that I have mailed to you. I have exhausted my Step 1 and Step 2 Grievances.

Will you please help me get to a hospital and have surgery. I am suffering with excruciating pain. Please!

I assume that I may need an attorney so that He/She can file the necessary paperwork giving you jurisdiction to proceed with a declaratory judgment or injunction in this matter. I surely will not prevail as a Pro Se litigant. The defendants have proven that, and will continue to step all over my constitutional rights.

Thank you for your valuable time and concern, I hope to hear from you or an attorney without delay.

Respectfully
Jimmie Mark Parrott, Jr
Styles Unit / #1621310
3060 F.M. 3514
Beaumont, Texas 77705

CORRECTIONAL MANAGED HEALTH CARE CLINIC NOTES

Patient Name: PARROTT, JIMMIE M
TDCJ#: 1621310

Date: 08/20/2018 10:25
Facility: POWLEDGE (B2)

Scanned by YBARRA, SONYA M. in facility DANIEL (DL) on 08/08/2018 12:51

MITCHELL COUNTY HOSPITAL

997 W I-20 • COLORADO CITY, TX 79512
(325) 728-3431

IMAGING REPORT

IMAGES MAY BE VIEWED AT garvish.com UP TO 30 DAYS FROM REPORT DATE

| PATIENT NAME | BIRTHDATE | SEX | XRAY NUMBER |
|---------------------|----------------------|-----|-------------|
| PARROTT, JIMMIE | 05/24/1963 | M | DL1621310 |
| REFERRING PHYSICIAN | DATE OF SERVICE | | |
| GNP DONNA L DAVIS | 8/8/2018 11:33:00 AM | | |

STUDY: 5 views of the lumbar spine

COMPARISON: None

INDICATION: LOW BACK PAIN WITH LT SIDED SCIATICA, PAIN 10/10, HX OF LUMBAR FUSION 2016 AND DISCECTOMY IN THE 80'S

DISCUSSION:

There is no evidence of acute fracture, compression, or subluxation of vertebral bodies. There is mild curvature of the lumbar spine with convexity to the left. The patient is status post posterior spinal fusion and laminectomy at L5-S1 with intact appearing pedicle screws and interlocking bars. There is mild degenerative spondylosis at L1-L2 and L2-L3. There is moderate degenerative disc disease and associated spondylosis at L3-L4 and L4-L5. There is advanced narrowing of the L5-S1 interspace with bone-on-bone apposition and concomitant eburnative and hypertrophic changes. There is moderate bilateral facet arthropathy at L4-L5 and L5-S1. Calcification is noted within the infrarenal abdominal aorta.

IMPRESSION:

No acute fracture or subluxation.

Mild curvature of the lumbar spine with convexity to the left.

The patient is status post posterior spinal fusion and laminectomy at L5-S1 with intact appearing pedicle screws and interlocking bars.

Mild degenerative spondylosis at L1-L2 and L2-L3.

Moderate degenerative disc disease and associated spondylosis at L3-L4 and L4-L5.

Advanced narrowing of the L5-S1 interspace with bone-on-bone apposition and concomitant eburnative and hypertrophic changes.

Moderate bilateral facet arthropathy at L4-L5 and L5-S1.

Electronically Signed Dr J Kimball on 08/08/2018 12:36:10

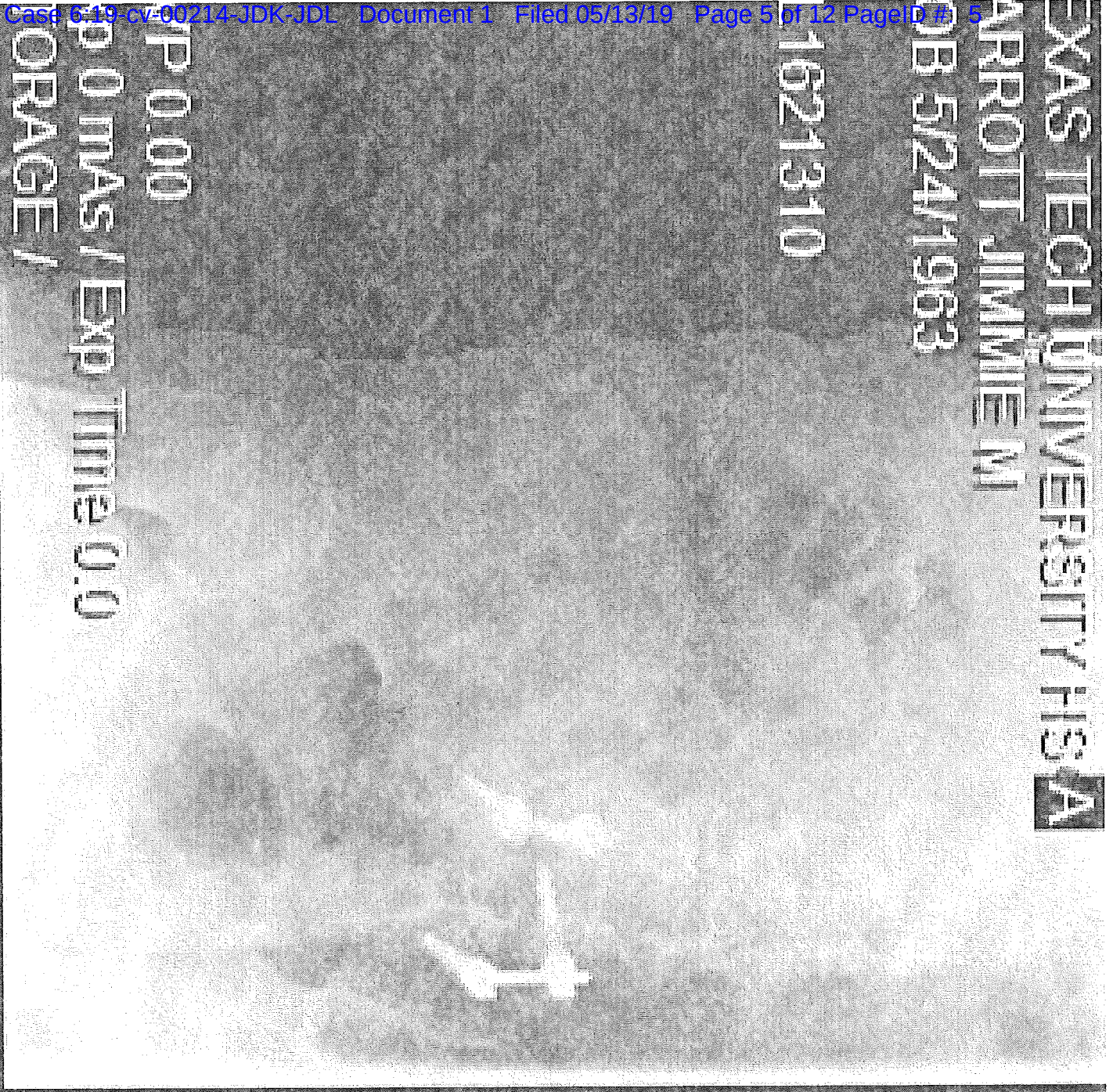
Review/Update TDCJ Restrictions/PULHES:
Plan is as follows: Refer to HG-Ortho (spine) Procedures Ordered:

TEXAS TECH UNIVERSITY HIS A
ARROTT JIMMIE M
DOB 5/24/1963

1621310

MP 0.00
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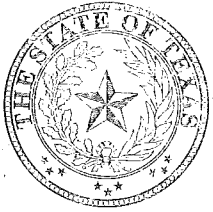
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30 cm

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W 4096 L 2048



Texas Department of Criminal Justice

STEP 1

OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: _____

Date Received: _____

Date Due: _____

Grievance Code: _____

Investigator ID #: _____

Extension Date: _____

Date Retd to Offender: _____

Offender Name: James Mark Pruitt, Jr. TDCJ # 1621310Unit: Styles Housing Assignment: 8bldg J-10 bottomUnit where incident occurred: Styles

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? _____ When? _____

What was their response? Emergency Medical Grievance

What action was taken? _____

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

On 4/20/19, at 10:30 a.m., and at the Styles Unit, I was told by an unnamed nurse (see medical record for her name) that I had a missed appointment for ortho-spine that had been scheduled for 4/16/19. Why was I not taken to this appointment? My urgent need for serious medical care is manifest in X-Rays and Myelogram C.T. dated as far back as August, 2018. Yet, the TDCJ-TO and Correctional Management Healthcare employees have shown a deliberate indifference to that medical need, and continue to do so. The Eighth Amendment to the U.S. Constitution protects my right to medical care, and that right extends to "adequate" medical care. The Supreme Court explained that this is because "an inmate must rely on prison authorities to treat his medical need, if the authorities fail to do so, those needs will not be met." *Estelle v. Gamble*, 429 U.S. 97, 103 (1976). I am not even suppose to be on the Styles Unit because it violates my 50 yd walking restriction, and I was specifically reassigned from the Price Daniel Unit because it too violated my 50 yd walking restriction, and I was assigned to the Powlledge Geriatric Medical Facility because it is smaller and everything is closely available to meet my medical needs, supposedly! No matter where I can be housed at the Styles Unit it violates my 50 yd walking restriction, causing me further unnecessary pain and suffering. (See Medical Records Dated August, 2018). Furthermore, my medical records reveal my numerous pleas for medical assistance, all without result. Because my injury has been deliberately left untreated for so long I am suffering irreparable injury and damage to the sciatic nerve in my back and legs. I can not properly control my bladder, causing me to wet myself, and my right leg, and foot I do not have full control of any more. Success on the merits I have shown that I have (a) serious medical need; (b) Prison officials have showed "deliberate indifference" to my serious medical need; and (c) the deliberate indifference caused irreparable damage to the sciatic nerve in my back and legs. *Supra Estelle at 104*. "The failure to treat a prisoner's condition could result in further significant injury or the 'unnecessary and wanton infliction of

"pain." See *Supra Estelle* at 104; *Jeff V. Penner*, 439 F.3d 1091, 1096 (9th Cir. 2006). I cannot take such deliberate physical and mental abuse any longer. I am suffering in severe pain. I need surgery. I am refused proper medication(s) for pain management. My constitutional rights are being stepped on by the TPCI-ID and UTMB Correctional Management Healthcare employees. If I cannot be provided adequate medical care then perhaps you should consider that I be released on medical discharged parole, and I will be responsible for my own medical care. I am eligible, and possibly it will be in the best interest of public because of cost and litigation in Federal District Court. At this point you are aware of my need for surgery, and the continued denial of that care can and probably will result in further damage to my physical person.

Action Requested to resolve your Complaint. Proper medication(s) for pain management; reassigned to a smaller medical facility; to be taken to a hospital for surgery; Post surgery physical therapy; no retaliation by staff, or a release to medically discharged parole so that I will be responsible for my own medical care.

Offender Signature: James Mark Parat, Jr.

Date: 4/22/2019

Grievance Response:

Signature Authority:

Date:

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

TEXAS DEPARTMENT OF CRIMINAL JUSTICE — INSTITUTIONAL DIVISION

INMATE REQUEST TO OFFICIAL

REASON FOR REQUEST: (Please check one)

PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY.

- | | |
|---|---|
| 1. <input type="checkbox"/> Unit Assignment, Transfer (Chairman of Classification, Administration Building) | 5. <input type="checkbox"/> Visiting List (Asst. Director of classification, Administration Building) |
| 2. <input type="checkbox"/> Restoration of Lost overtime (Unit Warden- if approved, it will be forwarded to the State Disciplinary Committee) | 6. <input type="checkbox"/> Parole requirements and related information (Unit Parole Counselor) |
| 3. <input type="checkbox"/> Request for Promotion in Class or to Trusty Class (Unit Warden- if approved, will be forwarded to the Director of Classification) | 7. <input type="checkbox"/> Inmate Prison Record (Request for copy of record, information on parole eligibility, discharge date, detainers-Unit Administration) |
| 4. <input type="checkbox"/> Clemency-Pardon, parole, early out-mandatory supervision (Board of Pardons and Paroles, 8610 Shoal Creek Blvd. Austin, Texas 78757) | 8. <input type="checkbox"/> Personal Interview with a representative of an outside agency (Treatment Division, Administration Building) |

TO: Medical Department
(Name and title of official)

DATE: 4/16/2019

ADDRESS: Styles

SUBJECT: State briefly the problem on which you desire assistance.

I need to be seen by a doctor. This medical department is aware, or should be aware of my urgent need for medical care. I have no pain medication and I am suffering with excruciating pain in my lower back and both legs. From a failed back surgery performed by Dr. Lacy, Orthopedic surgeon, at UTMB in Galveston, Texas on July of 2016. Of course I have written this same complaint for months now, but no one ever tries to provide me with proper pain management. Why? I also need some steroid cream for pain and my dry skin, not lotion, steroid cream. Please do something about the amount of pain and suffering I have to endure. Please! I also need a cane because my gait is unstable now due to nerve damage, because my injury has been left untreated for so long. Respectfully Jimmie Mark Parrott, Jr.

Name: Jimmie Mark Parrott, Jr.

No: 1621310

Unit: Style 5

Living Quarters: 8 bldg J-10 Botto

Work Assignment: Med 5₂

DISPOSITION: (Inmate will not write in this space)

Sch NSC

L. Midkiff

4/17/19

RECEIVED
APR 17 2019

BY: _____

TEXAS DEPARTMENT OF CRIMINAL JUSTICE — INSTITUTIONAL DIVISION

INMATE REQUEST TO OFFICIAL

REASON FOR REQUEST: (Please check one)

PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY.

- | | |
|---|---|
| 1. <input type="checkbox"/> Unit Assignment, Transfer (Chairman of Classification, Administration Building) | 5. <input type="checkbox"/> Visiting List (Asst. Director of classification, Administration Building) |
| 2. <input type="checkbox"/> Restoration of Lost overtime (Unit Warden-if approved, it will be forwarded to the State Disciplinary Committee) | 6. <input type="checkbox"/> Parole requirements and related information (Unit Parole Counselor) |
| 3. <input type="checkbox"/> Request for Promotion in Class or to Trusty Class (Unit Warden- if approved, will be forwarded to the Director of Classification) | 7. <input type="checkbox"/> Inmate Prison Record (Request for copy of record, information on parole eligibility, discharge date, detainers-Unit Administration) |
| 4. <input type="checkbox"/> Clemency-Pardon, parole, early out-mandatory supervision (Board of Pardons and Paroles, 8610 Shoal Creek Blvd. Austin, Texas 78757) | 8. <input type="checkbox"/> Personal Interview with a representative of an outside agency (Treatment Division, Administration Building) |

TO: Medical Department c/o Mr. Deleone DATE: 4/21/2019
(Name and title of official)

ADDRESS: Styles Unit

Carbon Copy

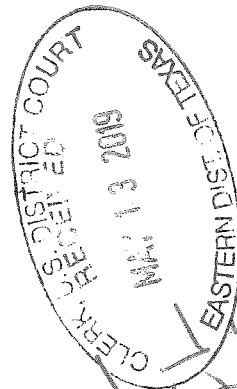
SUBJECT: State briefly the problem on which you desire assistance.

Mr. DeLoach: I had an appointment for arthro-spine scheduled for 4/16/2019. Why was I never taken to Galveston Hospital for that appointment? I have been suffering with excruciating pain now for almost a year without proper medication(s) for pain management and I needed to go to that appointment. My medical records reveal the need for surgery. Yet, I am no closer to that operation than I was eight months ago. Not only am I being denied adequate medical care for the injury to my back, but now I have this infection in my right leg that was left untreated for too long, and at the same time I was given the wrong antibiotics, and then when that was discovered the right antibiotics were put on hold for an additional 5 days leaving me with no antibiotics, resulting in poor circulation. Now my right leg has irreparable damage to it. What is wrong with the Styles Unit Medical employees? What is the problem? What?

Name: James Mark Parrott, JrNo: 1621310Unit: StylesLiving Quarters: 8 bldg, J-10-BottomWork Assignment: Med 5₂

DISPOSITION: (Inmate will not write in this space)

Timothy Mark Parrott, Jr.
Styles Unit / #1621360
3060 Fm. 3514
Beaumont, Texas 77705



Clerk
U.S. District Court
Eastern District of Texas
211 West Ferguson Street, Rm. 106
Tyler, Texas 75702

75702-722099

